

## Article - Labor and Employment

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§3–701.

(a) This section does not prohibit a proper medical evaluation by a physician to assess the ability of an applicant to perform a job.

(b) An employer may not require an applicant for employment to answer an oral or written question that relates to a physical, psychiatric, or psychological disability, illness, handicap, or treatment unless the disability, illness, handicap, or treatment has a direct, material, and timely relationship to the capacity or fitness of the applicant to perform the job properly.

(c) If an employer violates any provision of subsection (b) of this section, an applicant for employment may:

- (1) submit to the Commissioner a written complaint; or
- (2) bring an action for injunctive relief, damages, or other relief.

(d) Whenever the Commissioner determines that this section has been violated, the Commissioner may try to resolve any issue involved in the violation informally by mediation.

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